

NOTICES OF MOTION

Report of the County Solicitor

Recommendation: that consideration be given to any recommendations to be made to the County Council in respect of the Notices of Motion set out hereunder having regard to the relevant factual briefing/background papers and any other representations made to the Cabinet.

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The Notices of Motion submitted to the County Council by the Councillors shown below have been referred to the Cabinet in accordance with Standing Order 8(2) - for consideration, reference to another committee or to make a recommendation back to the Council.

A factual 'Briefing Note/Position Statement' prepared by the relevant Head of Service is also included where appropriate or available, to facilitate the Cabinet's discussion of each Notice of Motion.

### (a) **Educational Re-organisation and Fair Funding (Councillor Connett)**

*'Devon County Council is proud of the achievements of all schools in the county and recognises that with fair funding from Government, yet more could be done to raise educational attainment for all pupils, help them achieve their potential and aspire to achieve their ambitions.*

*The Council believes it would be a retrograde step to divert scarce national and local resources from the classrooms into yet another reorganisation of education and does not wish to see the introduction of new or additional Grammar schools in Devon.*

*Devon County Council yet again calls on the Government to ensure the education of children in Devon is properly, fairly and fully funded noting that Government is short-changing Devon schools by £23m a year.*

*"Devon has never been funded at the level it deserves and remains well below the national average for funding per pupil. Despite this historic underfunding, Devon schools have shown that they can deliver impressive educational outcomes and that no child is marginalised because responsibility is shared for the most vulnerable and who may not be in our own schools." Sue Clarke OBE MSc, former Head of Education and Learning, Devon County Council (foreword to the consultation on 2016-17 Revenue funding arrangements for schools)*

*The Council therefore calls on all Members of Parliament for Devon to challenge the Government to play fair by Devon by properly funding children's education in the county'.*

### **Briefing Note/Position Statement from the Head of Education & Learning**

The Council has consistently recognised the importance of ensuring appropriate levels of funding for all children in Devon schools.

As mentioned in previous briefings, the Council continues to lobby Government to support fair funding for our schools - jointly with Devon's Headteachers, Governors and Parents - and has secured a pledge from the Government to review the whole system of school funding and to introduce a national funding formula.

A copy of the Cabinet Member's recent letter and briefing paper sent to Devon MPs and to the Secretary of State, Justine Greening is appended to this Report. The Council will continue to work closely with Devon Headteachers, Governors and parents to raise awareness with MPs and Government not only around the fair funding issue but also securing appropriate levels of funding for HNB to support children with SEN and medical conditions.

As the County Council was reminded at its last meeting, it is no longer responsible for opening new schools and, in line with existing legislation, any new school opened in Devon must be established by academy trusts, free school sponsors or religious organisations. The Council does not control which organisations can apply to open new schools and all applications are decided by the Government through the Department of Education so any view the Council may have on any such new schools is – literally – academic.

**(b) Protecting Devon's Pharmacies (Councillor Connett)**

*Devon County Council recognises and values local pharmacies as a vital primary care health service and as an integral part of the fabric of local communities throughout our county.*

*Devon County Council notes that;*

- *176 pharmacies across the County offer a range of services such as dispensing prescriptions, disposal of unwanted medicines and supporting self-care;*
- *pharmacies play an important role in promoting wellbeing such as healthy eating, smoking cessation, exercise, flu vaccination, sexual health and more advice and support services are also available to care homes; and*
- *several pharmacies have achieved Healthy Living Pharmacies (HLP) status recognising and evidencing their role in improving the health of their local population.*

*Devon County Council is greatly concerned about Government imposed threats to pharmacies as a result of cuts in the budget of £170m nationally taking effect from October 2016.*

*This is a 6% cut in cash terms but could effectively mean a cut of 12% during the financial year which could potentially close up to a quarter of pharmacies with an increased focus on warehousing dispensary and online services. Service cuts in pharmacies put more residents at risk as well as putting pressure on GPs and on hospital services and therefore increasing NHS costs. A fully funded community pharmacy service is cost effective and is in the interest of patients and carers.*

*Devon County Council agrees to write to the Secretary of State for Health, NHS England and the Clinical Commissioning Groups serving Devon detailing our concerns and demanding an immediate reversal of these proposals.*

**Briefing Note/Position Statement from the Chief Officer for Communities, Public Health, Environment & Prosperity**

The County Council's statutory responsibility is limited to publishing a pharmaceutical Needs Assessment which is published on the Council's website at:

<http://www.devonhealthandwellbeing.org.uk/board/pharmaceutical-need-assessment/>

The development of the Pharmaceutical Needs Assessment (PNA) for Devon 2015-2018 was overseen by the Peninsula PNA Steering Group and presents a picture of community pharmacy need and provision in Devon, and links to Devon's Joint Strategic Needs Assessment. This PNA is used by the NHS England Area Team for Devon, Cornwall and Isles of Scilly to inform decisions by NHS England on a range of issues including which NHS funded services need to be provided by community pharmacies and dispensing appliance contractors in Devon, whether new pharmacies or services are needed, the relocation of existing pharmaceutical premises in response to applications by providers of pharmaceutical services and the commissioning of locally enhanced services from pharmacies

Devon's PNA was also developed in partnership with the Peninsula PNA Steering Group on behalf of Plymouth's HWB. This was to ensure that production of the PNAs for Plymouth, Devon, Torbay and Cornwall and Isles of Scilly followed the same process and format but with locally relevant information

Decisions on opening and closing pharmacies are however entirely the responsibility of NHS England to whom any representations should properly be made.

**(c) Environmental Policy Document Review (Councillor Wright)**

*This Council commends the DCC Environmental Policy document that was produced in 2014/15 - and the reported progress against it, as set out in the Environment Performance Statement.*

*However, the national trend is a significant and potentially catastrophic decline in insects and other wildlife, with some species heading towards extinction, as set out in the latest State of Nature report, published last month (September).*

*The sharp decline in our species suggests that our collective efforts are still not enough to prevent a worsening position.*

*This council agrees that the 'Countryside and Heritage' section of the Environmental Policy document should be reviewed before the end of 2016, to see whether there are further opportunities for DCC to do more to benefit nature, including:*

- 1. management of the county farms estate, where current uncertainties linked to Brexit mean that we need to find other ways of achieving environmental gains through the actions of our tenants;
  - o through the management of our buildings and grounds (e.g. County Hall - a Grade 2 listed building set within a conservation area);*
  - o management of our multi-use trails (i.e. cycleways), which have potential for enhancement as wildlife corridors; and**
- 2. through our community leadership role (e.g. in re-defining our environmental agenda in the light of Brexit, or in responding to current environmental problems such as ash dieback)'*

**Briefing Note/Position Statement from the Head of Planning, Transportation & Environment**

The Council recognises the ongoing threat to wildlife and the natural environment demonstrated in the recent publication of the national State of Nature Report.

The actions suggested in the Notice of Motion links very well with work that the Council is already undertaking, at the direction of the Environmental Performance Board, to produce a suite of new Policy and Action Plans for three of the topics set out through the County Council's Environmental Policy, one of which is specifically relates to 'Countryside & Heritage'. The current programme envisages draft documents being presented to the Environmental Performance Board on 14<sup>th</sup> November and the final suggested revised policy being submitted to Cabinet for consideration early in 2017. Through this process, appropriate opportunities for the County Council to do more to benefit our natural and historic environment, can be identified and, thereafter, acted on.

**(d) Affordable Housing and the HOTSW Devolution Prospectus (Councillor Vint)**

*'That this Council calls for references for the need for affordable housing to be added to the housing sections of the HOTSW Devolution Prospectus'*

## **Briefing Note/Position Statement from the Head of Organisational Development**

As has been made clear previously, the Heart of the South West Partnership's "A Prospectus for Productivity" was approved by the Partnership and submitted to the Government in February 2016. Implicit within the housing targets, set out in the document, is the link to the statutory local plan of each district council which contain affordable housing provision. Those local plan proposals would form the basis of any negotiation with Government on a devolution deal. The Partnership has not yet been invited into negotiation with Government. If and when negotiations do take place, the Council will play the fullest possible part in ensuring that sufficient provision of affordable housing is reflected in that discussion. Any draft deal with Government would be subject to consideration by the Council before it is finalised.

In the absence of formal negotiations towards a deal, the Partnership is now working on the development of a comprehensive Productivity Plan that will replace the current Single Economic Plan. This will set out the vision, ambitions and actions of the Partnership to improve prosperity. The Council will be invited to take part in the development of this plan and therefore there is an opportunity to consider our ambitions across a range of areas including infrastructure, skills and housing including the supply of affordable housing.

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This Report has no specific equality, environmental, legal or public health implications that will not be assessed and appropriate safeguards and/or actions taken or included within the detailed policies or practices or requirements in relation to the matters referred to herein.

JAN SHADBOLT

[Electoral Divisions: All]

Local Government Act 1972: List of Background Papers

Contact for Enquiries: R Hooper

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<u>Background Paper</u>	<u>Date</u>	<u>File Reference</u>
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Nil